For Commission Staff Use Only: Tracking #:V-100
Date Received:2/15/08
Submitted by:MGoldberg
Forwarded to:CFSC

FINDING AND RECOMMENDATION(S)

Submitted by: **Defensible Space and Best Management Practices Working Group**

Drafted by: **Martin Goldberg**
Lake Valley Fire Protection District

Finding: (*i.e., Conclusions reached after investigation and/or evaluation of facts*)

Implementing agencies in the Lake Tahoe Basin have failed to provide homeowners with a consistent message regarding defensible space and erosion control Best Management Practices (BMPs). This situation has, in many cases led homeowners to believe they must cover all bare soil with wood chips or pine needles in order to be BMP compliant.

One of the limiting factors in creating defensible space within 30' of a structure in the Lake Tahoe Basin is the homeowner's reluctance to remove dry flammable vegetation for fear of violating BMP regulations. The Tahoe Basin Fire Chiefs, in their 9 point letter to the Tahoe Basin Fire Commission, recommended that the TRPA accept " . . . the removal by homeowners of all flammable material, vegetation or other combustibles including pine needles and wood mulch around a building or structure to 30 feet."

California Public Resource Code (PRC) 4291 requires at all times that all residents maintain around and adjacent to their home a firebreak made by removing and clearing away all flammable vegetation or other combustible growth. However, PRC 4291 allows single specimens of trees, ornamental shrubbery, or similar plants that are used as ground cover, if they do not form a means of rapidly transmitting fire from the native growth to the home. Tahoe Basin Fire Chiefs have agreed to adopt PRC 4291 as the defensible space standard.

The Living With Fire (LWF) Program, created by Ed Smith and Paul Tueller of University of Nevada Reno and Fire Chief Loren Enstaad of the Sierra Front Wildfire Cooperators in 1997, is the leading resource for homeowners in the Lake Tahoe Basin who want to create defensible space and protect their home. The Living With Fire in the Lake Tahoe Basin publication has been recently edited by all fire agencies in the Lake Tahoe Basin and will serve as the single most important public education tool to help homeowner's understand how to create defensible space.

Background and Supporting Evidence: *(A short statement justifying the Finding and describing desired outcome(s); usually no more than half a page.)*

The defensible space and best management practices working group met on December 12, 2007. The following was drafted by Ed Smith and Elwood Miller following the December meeting.

"Non-combustible groundcovers include:

- Stabilized bare ground and mineral soil covered by a decomposing layer of duff.
- Gravel, rock, asphalt, concrete, etc.
- Healthy, well maintained, actively growing, high moisture content herbaceous plants, such as turfgrass, bunchgrasses, clover, succulents, and flowers (i.e., forbs).

Combustible groundcovers include:

- All dead vegetative plant material including cured grass, fallen pine needles, detached leaves and branches, pine cones, wood chips, bark mulches, dried leaves, needles, and dead branches attached to living plants.
- All living vegetation, except for well maintained herbaceous materials as described above."

It was also stated at the December 4, 2007 meeting that Tahoe Regional Planning Agency (TRPA) and BMP professionals that completely covering all bare soil with wood chips or pine needles was never a recommended BMP. Covering bare soil with wood chips or pine needles has become an inexpensive way for homeowner to comply with the BMP requirements.

Finally, a general agreement was reached at the December 4, 2007 meeting, that raking of pine needles annually could be a recommended practice. Wood chips or pine needles within planters not adjacent to the structure or capable of rapidly carrying fire to the structure would be acceptable. It was also agreed that the use of woodchip or pine needles should not be utilized or recommended as a widespread groundcover within 30' of a structure.

Further correspondences between the Tahoe Basin Fire Chiefs representatives and TRPA staff resulted in an agreement that raking of pine needles within 30' of a structure is not an absolute prescription, but a necessary tool in the hands of the fire agencies. There will be subjectivity in the enforcement and implementation of the regulations.

Recommendation(s) *(Based upon an analysis of the Finding, the following recommendation(s) should be made to the Governors):*

Based upon the analysis of findings and in coordination with LWF recent edits, it shall be recommended that all regulatory authorities having jurisdiction within the Tahoe Basin adopt the following before May 1, 2008, as the acceptable defensible space standard to be followed by property owners for the area within 5 to 30 feet of any structure within the Tahoe Basin:

During fire season, the area that is 5 to 30 feet from any structure should entirely or predominately consist of noncombustible materials as defined above. Specimens or limited areas of combustible materials included within a landscaping plan may be acceptable within this area provided they do not provide a means of rapidly transmitting fire across this area from the wildlands to the structure or vice-versa. Fallen pine needles should be removed from areas within this zone prior to fire season each year and should not be allowed to accumulate in any manner that creates a fire hazard. Woodchip should not be used in a widespread manner within this zone due to its combustible nature and the inability to maintain this material free of excessive pine needle accumulation.

Impacts of Implementation: *(The implementation of any Recommendation is likely to have specific impacts. Consider potential consequences related to each of the following areas)***:**

Analysis of impacts on the following factors is REQUIRED (Best Estimate):

- ☐ Cost - there would be no costs incurred to adopt this standard.
- ☐ Funding source - not applicable
- ☐ Staffing - not applicable
- ☐ Existing regulations and/or laws - does not conflict with existing laws or regulations.

Analysis of impacts on the following factors is OPTIONAL:

- ☐ Operational
- ☐ Social
- ☐ Political
- ☐ Policy
- ☐ Health and Safety
- ☐ Environmental – possible increase in erosion if not properly implemented
- ☐ Interagency